

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Hearing Examiner filing fees, amending Section 3.02.125 to increase the fees required for certain cases before the City Hearing Examiner, and amending Sections 7.20.080 and 22.220.140 to make those sections consistent with Section 3.02.125.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.02.125 of the Seattle Municipal Code, which section was last amended by Ordinance 123106, is amended as follows:

3.02.125 Hearing Examiner filing fees

A. The ~~((Filing fees))~~ filing fee for ~~((hearings))~~ a case before the City Hearing Examiner ~~((are as follows))~~ is \$85.00, with the following exceptions:

Basis for ((Hearing)) Case	Fee <u>in dollars</u>
((Admission Tax Deficiency (Ch. 5.40)))	(((\$50))
<u>Revocation of Admission Tax</u> ((; <u>Revocation of Exemption</u> ((See.)) <u>Section 5.40.085)</u>	No fee
((Ballard Avenue Landmark District (Ch. 25.16)))	(((\$50))
((Business License Tax Deficiency (Ch. 5.45)))	(((\$50))
<u>Cable ((Television Ordinance))</u> <u>Communications</u> ((Ch.)) <u>Chapter</u> 21.60)	No fee
((Columbia City Landmark District (Ch. 25.20)))	(((\$50))
((Commercial Parking Tax	(((\$50))

Basis for ((Hearing)) Case	Fee in dollars
Deficiency (Ch. 5.35))	
Basis for ((Hearing)) Case	Fee in dollars
((Commute Trip Reduction (CTR) (Ch. 25.02))	((50))
<u>Dangerous Animals (Chapter 9.25)</u>	<u>No fee</u>
((Design Decision in Multiple Residence Mixed Density Zone (Ch. 24.38))	((50))
((Employee Hours Tax (Ch. 5.37))	((50))
<u>Energy Benchmarking Citation (Chapter 22.920)</u>	<u>No fee</u>
<u>Fair Contracting Practices (Chapter 14.10)</u>	<u>No fee</u>
Fair Employment Practices Ordinance (((Ch.)) Chapter 14.04)	No fee
Floating Home Moorages (((Ch.)) Chapter 7.20)	((50)) <u>85 per petitioner</u> <u>255 maximum</u>
((/petitioner; maximum fee))	((150))
((Gambling Tax Deficiency(Ch. 5.52))	((50))
((Grading Ordinance (Title 22, Subtitle VIII))	((50))
((Harvard/Belmont Landmark District (Ch. 25.22))	((50))
((Housing Code (Ch. 22.206))	((50))
((Land Use Code Enforcement(Ch. 23.90))	((50))
<u>Land Use Code Citation (Chapter 23.91)</u>	<u>No fee</u>
Landmark Preservation Controls and	No fee

Basis for ((Hearing)) Case	Fee <u>in dollars</u>
Incentives (((See.)) <u>Section 25.12.530</u>)	
Basis for ((Hearing)) Case	Fee <u>in dollars</u>
((Landmarks Preservation (Sec. 25.12.740 and Sec. 25.12.835)))	((50))
((License Code (Title 6, Subtitle I)))	((50))
((Master Use Permit (Ch. 23.76)))	((50))
((Noise Ordinance (Ch. 25.08)))	((50))
Noise Code Citation (Ch. 25.08)	<u>No fee</u>
Open Housing Ordinance (((Ch.)) <u>Chapter 14.08</u>)	No fee
<u>Paid Sick/Safe Leave (Chapter 14.16)</u>	<u>No fee</u>
<u>Public Accommodations Ordinance (Chapter 14.06)</u>	<u>No fee</u>
((Pike Place Market Historical District (Ch. 25.24)))	((50))
((Pioneer Square Minimum Maintenance Ordinance (Ch. 25.28, Subchapter II)))	((50))
((Planned Unit Development(Ch. 24.66)))	((50))
((Plumbing Code (Ch. 20.16; Uniform Plumbing Code, Ord. 116594)))	((50))
((Property Tax Exemption, Cancellation of Exemption (Ch. 5.72)))	((50))
((Radiofrequency Radiation Ordinance (Ch. 25.10)))	50

Basis for ((Hearing)) Case	Fee <u>in dollars</u>
Refund Anticipation Loan (((Ch.)) Chapter 7.26)	5
Basis for ((Hearing)) Case	Fee <u>in dollars</u>
Relocation Assistance (((Ch.)) Chapter 20.84)	No fee
((Seizure of Property -- Controlled Substances (RCW 69.50.505(e)))	((No fee))
((Special Review Districts (Ch. 23.66)))	((50))
((Square Footage Business Tax (Ch. 5.46)))	((50))
((State Environmental Policy Act (SEPA)(when not a Master Use Permit component) (Ch. 25.04)))	((50))
<u>SDOT Citation (Chapter 15.91)</u>	<u>No fee</u>
<u>Tenant Relocation Assistance (Chapter 22.210)</u>	<u>No fee</u>
<u>Third Party Utility Billing (Chapter 7.25)</u>	<u>5</u>
((Utility tax (Ch. 5.48)))	((50))
<u>Zoning Map Amendments (Rezoning)(Ch. 23.34) Type III or Type IV Land Use Application (Chapter 23.76)</u>	No fee
<u>Weed and Vegetation Citation (Chapter 10.52)</u>	<u>No fee</u>
((Zoning Rulings and Interpretations (Ch. 23.88)))	((50))

B. Filing fees are nonrefundable unless otherwise provided in this Code. The City Hearing Examiner may waive a fee if ~~((its assessment will cause-))~~ the person seeking the waiver demonstrates that the fee will cause financial hardship ((to the appellant)).

~~((C. There is no fee for hearing appeals from an administrative assessment or an order under Sections 6.212.280 and 6.212.290.))~~

Section 2. Subsection B of Section 7.20.080 of the Seattle Municipal Code, which section was last amended by Ordinance 121276, is amended as follows:

7.20.080 Moorage fee increases—Hearing((:))

* * *

B. If at least 1/2 of the floating home moorage site lessees in a floating home moorage, excluding the moorage owner and those who have an ownership interest in the moorage, who are subject to a moorage fee increase in the same percentage amount (plus or minus one percent) believe that the demanded fee increase is unreasonable, they may collectively file a petition for review with the Hearing Examiner. The petition shall be in the form of a sworn statement which shall: (1) be signed by each petitioning moorage site lessee; (2) list separately the name and floating home address of each such moorage site lessee; and (3) include a statement of the intention of each moorage site lessee to contest the proposed moorage fee increase. In determining whether at least half of those affected have petitioned only one signature per moorage site will be counted. The petition shall be filed within 15 days of receipt of written notification of the moorage fee increase. The person or persons filing a petition for review shall pay a filing fee ~~((of \$25 per petitioner, with a maximum fee of \$75, to the Director of Finance and Administrative Services, which))~~ as provided in Section 3.02.125. The fee shall be refunded

1 if no hearing is required. The Hearing Examiner may consolidate the petitions contesting
2 moorage fee increases at the same moorage.

3 * * *

4 Section 3. Subsection A of Section 22.220.140 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 114865, is amended as follows:

6 **22.220.140 Appeal -- From Director's order((;))**

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8 A. Within ~~((fifteen-))~~15((;)) days from the date of service and posting of an order issued
9 by the Director, the owner may file a written notice of appeal with the Office of the Hearing
10 Examiner. The notice of appeal shall state the specific errors in the Director's order of
11 proceedings and the specific grounds upon which a reversal or modification of the order is
12 sought. The Director's decision to grant or deny administrative relief pursuant to Section
13 22.220.120 and the issues determined therein shall not be appealable to the Hearing Examiner.
14 The notice of appeal shall be accompanied by ~~((a)) the filing fee ((of Twenty-five Dollars (\$25)))~~
15 provided in Section 3.02.125.

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17 * * *

1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the ____ day of _____, 2012, and
5 signed by me in open session in authentication of its passage this
6 ____ day of _____, 2012.

9 _____
10 President _____ of the City Council

11
12 Approved by me this ____ day of _____, 2012.

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15 _____
16 Michael McGinn, Mayor

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18 Filed by me this ____ day of _____, 2012.

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21 _____
22 Monica Martinez Simmons, City Clerk

23 (Seal)
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